



W.P.(MD) No.5093 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 26.02.2025

CORAM:

THE HONOURABLE **MRS.JUSTICE J.NISHA BANU**

AND

THE HONOURABLE **MRS.JUSTICE S.SRIMATHY**

W.P.(MD)No.5093 of 2025

Bodinayakkanur Marimoor Kanmai Pasana Neerinaï,
Payanpaduthuvor Sangam,
Represented by its President ,
V.E.M.Kathiresan.

... Petitioner

-Vs-

1. The District Collector,
Theni District, Theni.

2. The Tahsildhar,
Bodinayakkanur Taluk,
Theni District.

3. Annathai

4. Sadayan

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, Mandamus, directing the 1st and 2nd respondents to remove the encroachments made by the 3rd and 4th respondents over the threshing floor in Survey No. 1366/2 of Bodinayakkanur Village, Bodinayakkanur Taluk, Theni District and retrieve the same to its original position in the light of petitioner's representation dated 06.12.2024.



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For Petitioner : Mr.J.Pooventherarajan

For Respondents : Mr.P.Thilak Kumar (R1 & R2)

Government Pleader

ORDER

[Order of the Court was made by J.NISHA BANU, J.]

By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

2. It is the grievance of the petitioner that his representation dated 06.12.2024, seeking removal of the encroachment made by the 3rd and 4th respondents over the threshing floor in S.No.1366/2 situated at Bodinayakkanur Village, Bodinayakkanur Taluk, Theni District, is kept pending till date without any progress. Therefore, he has filed this Writ Petition, seeking for a direction to the respondents 1 and 2 to consider his representation dated 06.12.2024.

3. Mr.P.Thilak Kumar, learned Government Pleader, who takes notice on behalf of the respondents 1 & 2 submits that the representation of the petitioner would be considered and appropriate orders would be passed on its own merits within a period that may be stipulated by this Court.



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4. Notice to the 3rd and 4th respondents is hereby dispensed with, since no adverse order is going to be passed as against them.

5. Considering the limited scope of the prayer sought for by the petitioner, without expressing any opinion on the merits of the claim made by the petitioner either in the representation or in the affidavit filed in support of this writ petition, we direct the official respondents to consider the representation of the petitioner dated 06.12.2024, after giving sufficient opportunity of hearing to all the parties concerned and pass appropriate orders on merits and in accordance with law within a period of twelve [12] weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition is disposed of. No costs.

[J.N.B., J.] & [S.S.Y., J.]
26.02.2025

NCC : Yes / No
Index : Yes / No
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J.NISHA BANU, J.

AND

S.SRIMATHY, J.

Sm

TO:-

1. The District Collector,
Theni District, Theni.
2. The Tahsildhar,
Bodinayakkanur Taluk,
Theni District.

Order made in
W.P.(MD)No.5093 of 2025

Dated:
26.02.2025